

**REMARKS**

Claims 22-42, 55, 57-59 and 61-63 are pending in this application. By this Amendment, claims 22-24, 29-34, 36-38, 40, 41, 55, 57-59, and 61-63 are amended; and claims 1-21, 43-54, 56, 60 and 64-66 are canceled without prejudice to or disclaimer of the subject matter contained therein. The amendments are for clarification purposes only and to conform to U.S. Patent practice, and not for reasons of patentability. No new matter is added. Reconsideration and allowance of this application are respectfully requested.

**OBJECTIONS TO THE SPECIFICATION**

The Examiner objected to the title of the application. By this Amendment, the title is amended. Withdrawal of the rejection is respectfully requested.

**CLAIM FOR PRIORITY**

Applicants amended the specification, particularly the first sentence, to claim priority and benefit to provisional applications, U.S. serial no. 60/398,117, filed July 25, 2002, and U.S. serial no. 60/411,099, filed September 17, 2002.

**CLAIM REJECTIONS – 35 U.S.C. § 112**

Claims 3, 24, 30 and 45 are rejected under 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention.

Applicants submit that the rejection to claims 3 and 45 are rendered moot as these claims are canceled.

With regard to claim 24, Applicants amended claim 24 by removing the term “such as a LCOS display”.

With regard to claim 30, Applicants reviewed claim 30 and cannot locate the term “such as.” Applicants request further clarification if the Examiner continues to maintain this rejection.

Reconsideration and withdrawal of the rejections are respectfully requested.

**CLAIM REJECTIONS – 35 U.S.C. § 102**

Claims 1-9, 15-30, 36-40, 52-59 and 64-66 are rejected under 35 U.S.C. § 102(a) as being anticipated by Mori, U.S. Patent Publication 2002/0065113. This rejection is respectfully traversed.

Foremost, Applicants submit that the rejection to claims 1-9, 15-21, 43-47, 52-54 and 64-66 is rendered moot as these claims have been canceled by this Amendment. However, Applicants traverse the rejection with regard to pending claims 22-30, 36-42, 55, and 57-59.

Specifically, Applicants submit that Mori fails to disclose or suggest a mobile handset, comprising, *inter alia*, “an image compensation unit so as to allow the mobile handset to be applied in near-to-the-eye applications,” as recited in claim 22.

The Examiner allegedly asserts that Figure 4 of Mori teaches an image compensation device so as to allow the mobile handset to be applied in near-to-the-eye applications.<sup>1</sup> However, Applicants submit that Mori is completely silent teaching “an image compensation unit applied in near-to-the-eye applications.” Figure 4 of Mori merely teaches a display/speaker section 203 provided with a display cover 206 in front thereof for protecting the surface of the LCD. Thus, there is no mention or teaching in Mori that the display cover 206 is an image compensating unit applied in near-to-the-eye applications.

As an example, non-limiting embodiment, an image compensating unit applied in “near-to-the-eye” applications may be illustrated as a display with a resolution corresponding to a resolution of, for example, a standard 17 or 19 inch monitor (e.g., the near-to-the-eye display

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<sup>1</sup> See Office Action, page 5, paragraph 6.

may be suitable for showing, for example, videos/movies or stereo soundtracks being played via the loudspeakers)<sup>2</sup>.

Accordingly, Mori fails to disclose or suggest “an image compensating unit so as to allow the mobile handset to be applied in near-to-the-eye applications,” as recited in claim 22.

Because Mori fails to disclose each and every feature of the claimed invention, it cannot provide a basis for a rejection under 35 U.S.C. § 102.

Claim 55 is also allowable for reasons somewhat similar to those discussed above with regard to claim 22. Specifically, Mori fails to disclose “an image compensation unit so as to allow the display and audio assembly to be applied in near-to-the-eye applications”. Claims 23-50, 36-42, and 57-59 are allowable by virtue of their dependency on either independent claims 22 or 55. Withdrawal of the rejection is respectfully requested.

#### **CLAIM REJECTIONS – 35 U.S.C. § 103**

Claims 10, 31, 48 and 60 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mori in view of Saiki, et al. (“Saiki”), US Patent Publication 2003/0003945. This rejection is respectfully traversed.

Foremost, claims 10, 48 and 60 have been rendered moot as these claims have been canceled.

With regard to claim 31, as discussed above, Mori neither discloses nor suggests the claimed invention as found in claim 21, the independent claim from which the dependent claim depends. Further, Saiki fails to overcome the noted deficiency of Mori. Namely, Saiki fails to disclose or suggest “an image compensation unit applied in near-to-the-eye applications.”

Withdrawal of the rejection is respectfully requested.

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<sup>2</sup> See specification, page 6, lines 33-38.

Claims 11-14, 32-35, 49-50 and 61-63 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Mori in view of Smethers, US Patent 6,463,304. This rejection is respectfully traversed.

As discussed above, claims 11-14 and 49-51 have been rendered moot as these claims have been canceled.

With regard to claims 32-35 and 61-63, Applicants submit that Mori fails to disclose or suggest the claimed invention as found in independent claims 22 and 55, the independent claims from which the rejected claims depend. Further, Smethers fails to overcome any deficiency of Mori. Withdrawal of the rejection is respectfully requested.

#### **CONCLUSION**

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of claims 22-42, 55, 57-59, and 61-63 in connection with the present application is earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact John Castellano at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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By

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